

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

BENJAMIN GREENO,) CASE NO. 3:05CV1013
)
Petitioner,)
)
vs.) JUDGE ANN ALDRICH
) Magistrate Judge Kenneth S. McHargh
)
MARGARET BRADSHAW, WARDEN,)
)
)
Respondent.) <u>MEMORANDUM AND ORDER</u>

On June 26, 2006, Magistrate Judge McHargh issued a Report and Recommendation (“R&R”) (Doc. No. 13) recommending that the instant petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 be denied.

Standard of Review

Rule 8(b) of the Rules Governing Section 2254 cases in the United States District Courts provides, "The judge must determine *de novo* any proposed finding or recommendation to which objection is made. The judge may accept, reject, or modify any proposed finding or recommendation." When no objections have been filed this court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation. *See* Advisory Committee Notes 1983 Addition to Federal Rule of Civil Procedure 72.

Although the parties were specifically informed of their right to object to the R&R, and of the consequences of their failure to do so, there has nevertheless been no objection to the R&R.

The R&R is hereby adopted and affirmed, and the habeas petition is denied. This order is final but not appealable.

IT IS SO ORDERED.

/s/ Ann Aldrich
ANN ALDRICH
UNITED STATES DISTRICT JUDGE

Dated: **March 14, 2007**